

6:45 p.m. Study Session:

- Town Hall Meeting
- I-75 Mast Arms
- TFAC Year-End Summary

Agenda

Tipp City City Council

7:30 p.m. Monday, October 19, 2009

Tipp City Government Center

260 South Garber Drive

Tipp City, Ohio 45371

	Agenda Item	Presenter
1.	Call to Order - Roll Call	President Hale
2.	Prayer for Guidance, Pledge of Allegiance	Pastor Ken Oren, Good Shepherd Church of the Brethren
3.	Motion to Approve the Agenda	President Hale
4.	Minutes of the October 5, 2009 Pre-Meeting Study Session Minutes of the October 5, 2009 Meeting	President Hale
5.	Presentations, Proclamations, & Awards <ul style="list-style-type: none">• Big Tree Contest Award	Mayor Evans
6.	Legislation	
	Ordinances (<i>second reading</i>) A. Ordinance No. __-09: An ordinance supplementing the appropriations in Ordinance 48-08. (<i>Sponsored by Mr. Beagle</i>) <u>Summary:</u> This ordinance authorizes an increase of appropriations for various funds of the City to supplement the 2009 fiscal year budget in the total amount of \$454,000. B. Ordinance No. __-09: An ordinance reducing the appropriations in Ordinance 48-08. (<i>Sponsored by Mr. Kessler</i>) <u>Summary:</u> This ordinance authorizes the necessary reduction in appropriations of \$2,787,574.	Mr. Crusey

	<p>C. Ordinance No. __-09: An ordinance accepting the waterline improvements as completed by the contractor for Shoop Road. <i>(Sponsored by Mrs. Gillis)</i></p> <p><u>Summary:</u> All work has been satisfactorily completed on the waterline improvements made on Shoop Road to the eastern property line of 7025 S. County Road 25A.</p> <p>D. Ordinance No. __-09: An ordinance accepting the waterline improvements as completed by the contractor for Cornerstone Drive. <i>(Sponsored by Mr. Lovett)</i></p> <p><u>Summary:</u> This is the waterline extension off the NAWA transmission main near the Montgomery/Miami County line that currently provides water service to HD Supply.</p> <p>E. Ordinance No. __-09: An ordinance authorizing the City Manager to purchase a +/- 3.410 acre lot being all of Inlot #3738 on Success Circle for a proposed water tower. <i>(Sponsored by Mrs. Blakey)</i></p> <p><u>Summary:</u> This ordinance authorizes the City Manager to purchase Inlot #3738 for ninety-nine thousand dollars (\$99,000.00) for placement of a water tower.</p>	
	Resolutions <i>(one reading required)</i>	Mr. Crusey
	<p>Ordinances <i>(first reading)</i></p> <p>A. Ordinance No. __-09: An ordinance accepting the street improvements, including the water lines, sanitary sewer, and electric utilities as completed by Star Ex Inc. for Kinna Drive.</p> <p><u>Summary:</u> Star Ex has satisfactorily completed the installation and construction of all the improvements on the Kinna Drive project.</p>	Mr. Crusey
7.	<p>Motions</p> <p>A. Motion to approve up to 2 residential water taps (maximum size 1.5”), and</p> <p>B. Motion to allow Miami County or their designee to extend the existing 12” DIP water line westerly on Ginghamburg Road to minimum the eastern property line of the +/- 24.2876 acre parcel where it touches Ginghamburg Road.</p>	President Hale
8.	Miscellaneous	President Hale
9.	Citizen Comments on Items Not on the Agenda	
10.	Comments of Councilmembers/City Manager	
11.	Adjournment	President Hale

Executive Session: Boards and Commissions

Council welcomes the comments and input of the public during the Council meetings. In order to provide an orderly fashion in which all interested parties have an opportunity to address Council, Council has adopted the following procedure for citizen's comments during any portion of the Council meeting or Public Hearing.

Any citizen who wishes to address Council must first seek recognition from the President of Council. Upon recognition by the President, the speaker should approach the podium, state their name and make their comments. Speakers should not leave the podium to approach Councilmembers without first obtaining permission. After completion of their comments, Council would request that the speakers return to their seat so that any other interested persons could then be recognized and address Council.

The purpose of this procedure is to afford the maximum opportunity for citizen input without any type of disruption of the Council proceedings. While others are addressing Council from the podium, Council requests that audience members not make comments to Council or to individuals at the podium to prevent any potential confusion or disruption.

AGENDA INFORMATION

ORDINANCES – Second Reading

- A. **Supplemental Appropriations** – This ordinance would increase 2009 appropriations by \$454,000 in the following funds:

- + \$58,600 General Fund – These funds are necessary to cover larger than expected income tax refunds to corporations. The downturn in the economy has resulted in lower corporate profits which have resulted in higher income tax refunds since corporations pay estimated taxes based upon the previous year's return.
- + \$385,400 Clean Ohio Grant Fund – These funds were originally appropriated in the Water Fund for the purchase of the Senseman property, however, the grant administrator has informed the City that these funds must be segregated in a separate fund. Appropriations in the Water Fund are being equally reduced via the ensuing reduction in appropriations ordinance.
- + \$10,000 Contractor Maintenance Fund – Due to an increase in contractor's submitting cash surety in lieu of bonds, additional appropriations in the fund are necessary.

A memo from Finance Director Drennen on this item is attached.

- B. **Reduction in Appropriations** – This ordinance would reduce 2009 appropriations by \$2,787,574 in the following funds:

- \$2,174 FEMA Grant Fund – The City received less revenue than anticipated related to FEMA's reimbursement for clean-up costs related to the September 2008 wind storm.
- \$385,400 Water Fund – Clean Ohio grant funds for the purchase of the Senseman property were originally appropriated in the Water Fund, however, the grant administrator has

informed the City that these funds must be segregated in a separate fund. The preceding supplemental appropriation ordinance will appropriate these funds to a Clean Ohio Grant Fund.

- \$2,400,000** **Water Tower Construction Fund** – Bids for the construction of the new 1.0 million gallon water tower are tentatively scheduled to be opened December 18, 2009. Therefore, a contract for this project will not be awarded until 2010. These funds will be re-appropriated as part of the 2010 budget.

A memo from Finance Director Drennen on this item is attached.

- C. Accepting Shoop Road Waterline** – This ordinance accepts the Shoop Road waterline public improvements. City Council, at its July 13, 2009 meeting, authorized the City Manager to enter into an Annexation and Service Agreement and a Waterline Construction Agreement for 7025 S. CR 25-A. The project involved the extension of a 12-inch waterline along Shoop Road to the easternmost property line of the subject property. The waterline has been constructed, inspected and approved by the City. Acceptable surety in the form of a 10% cash bond has been filed with the City for any necessary repairs during the one year maintenance period. A memo from Assistant Utilities Director Butera on this item is attached.
- D. Accepting Cornerstone Drive Waterline** – This ordinance accepts the Cornerstone Drive waterline public improvements. City Council, at its November 5, 2007 meeting, adopted Resolution 37-07 authorizing the City Manager to enter into a construction agreement with JM Grench for the installation of a 12-inch water main on Cornerstone Drive in unincorporated Monroe Township. The waterline has been constructed, inspected and approved by the City. Acceptable surety in the form of a 10% maintenance bond has been filed with the City for any necessary repairs during the one year maintenance period. A memo from Assistant Utilities Director Butera on this item is attached.
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- E. Purchase of Water Tower Property** – This ordinance authorizes the City Manager to purchase a +/- 3.410 acre lot, inlot #3738, on Success Circle for the construction of a new 1.0 million gallon water tower. Council, at its July 13th meeting, authorized the City Manager via motion to enter into a Contract to Purchase Real Estate with Logan-Berry Properties, LLC for \$99,000, which is below the \$142,350 appraised value of this property. At a future meeting City Council will be requested to authorize the City Manager to execute IRS Form 8263 affirming the “donation” of the difference between the appraised value and the purchase price of property. The closing on this property will be completed by December 31, 2009. A memo from Assistant Utilities Director Butera on this item is attached.

ORDINANCES – First Reading

- A. Accepting Kinna Drive Public Improvements** - This ordinance accepts the Kinna Drive public improvements. City Council, at its December 15, 2008 meeting, adopted Resolution 39-08 authorizing the City Manager to enter into a contract with Star Ex for the extension of Kinna Drive, including street improvements and utilities. The street has been constructed, inspected and approved by the City. Acceptable surety in the form of a 10% maintenance bond has been filed with the City for any necessary repairs during the one year maintenance period. The final project cost was \$1,025,438 with

\$484,007 (47%) from the ODOD/ISIF Grant, \$208,043 (20%) from Northgate Commerce Center, and \$333,388 (33%) from the CIRF. A memo from City Engineer Vagedes on this item is attached.

MOTIONS

- A. **Two additional water taps at 7326 South Tipp-Cowlesville Road in Unincorporated Monroe Twp. –**
The City has received a request to permit two additional water taps into the Miami County waterline at 7326 S. Tipp-Cowlesville Road. The current 56.6139 acre parcel is owned by Susan Ducker and is proposed to be subdivided into three parcels. The existing farmhouse has previously tapped the waterline, therefore only two additional taps will be necessary. Council discussed this item at its October 5th Study Session and directed this matter to be placed on the agenda. A motion will be necessary authorizing up to two future residential water taps (max. tap size = 1.5”) for the proposed single family residential lots. A memo on this matter from Assistant City Manager/Community & Economic Development Director Vath is attached.

- B. **Extension of Miami County Waterline along Ginghamburg Road –** Related to the above requested water taps, Miami County will need to extend the existing 12-inch water main ≈ 60-feet in a westerly direction along Ginghamburg Road to serve the subject properties. A motion will be necessary authorizing Miami County (or their agent) to extend the existing 12” ductile iron pipe water line up to 60’ westerly along Ginghamburg Road would be appropriate, subject to staff reviewing and approving the construction drawings and the appropriate permits being obtained.